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U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

October 23, 2007

**BY HAND**

Honorable Deborah A. Batts  
United States District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: United States v. Josue Mendez et. al., 07 Cr. 533 (DAB)

Dear Judge Batts:

A pre-trial conference was previously set in the above-referenced case for October 24, 2007 at 4:30 p.m. The Court has now rescheduled that conference for Monday, October 29, 2007 at 10:30 a.m.

Accordingly, the Government respectfully requests that time be excluded from speedy trial calculations until that date. The Government has produced discovery to the defense counsel, who are reviewing it, and is having discussions about the possibility of disposition with counsel. Seth C. Farber, Esq., William Stampur, Esq. and Charles Hochbaum, Esq. have no objection to the exclusion. The Government has not yet been able to confer with Alan Haber, Esq. about this new date (although a voicemail message was left informing him of the change).

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney

**SO ORDERED**  
*Deborah A. Batts*

**DEBORAH A. BATTS**  
**UNITED STATES DISTRICT JUDGE**

By:

*[Signature]*  
Marissa Molé/Eugene Ingoglia  
Assistant United States Attorneys  
(212) 637-2275/1013

cc: William J. Stampur, Esq. (by facsimile)  
Seth C. Farber, Esq. (by facsimile)  
Charles S. Hochbaum, Esq. (by facsimile)  
Allan P. Haber, Esq. (by facsimile)

MEMO ENDORSED

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